

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/6/24

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ESSILOR INTERNATIONAL SAS et al.,

Plaintiffs,

-v-

J.P. MORGAN CHASE BANK, N.A.,

Defendant.
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22-cv-3361 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiff Essilor Manufacturing (Thailand) Co., Ltd. (“EMTC”) moves for a protective order striking the following topics of testimony in the Notice of Rule 30(b)(6) Deposition served by Defendant J.P. Morgan Chase Bank, N.A. (“JPMC”): 1-7, 12, 17, 19, 20-25, 27, 29-30, 32-33, 40-62. Dkt. No. 129. Of those, JPMC since has agreed to withdraw topics 19, 43, 44, 49, and 55. Dkt. No. 132-2 at 2.¹ The parties also have since agreed on topics 17, 20, 27, 29-30, 32, 46-47, 48, 52, 58-59, and 61. *Id.* at 2-3. As a result, the following topics remain in dispute: 1-7, 12-13, 21-25, 33, 35-37, 40-42, 45, 51, 53, 54, 56-57, 60, and 62. Dkt. No. 132 at 2 n.1.

“[A] rule 30(b)(6) deposition notice is subject to the limitations under Federal Rule 26 – deposition topics should be proportional to the needs of the case, not unduly burdensome or duplicative, and described with ‘reasonable particularity.’” *Blackrock Allocation Target Shares: Series S Portfolio v. Wells Fargo Bank, N.A.*, 2017 WL 9400671 at *2 (S.D.N.Y. Apr. 27, 2017) (quoting Fed. R. Civ. P. 30(b)(6)); *see Fernandez v. City of New York*, 2023 WL 3872512, at *1

¹ Specifically, JPMC has withdrawn the following topics from its 30(b)(6) notice: topics 11, 15, 16, 18, 19, 26, 32, 34, 38, 39, 43, 44, 49 and 55. Dkt. No. 132-2 at 2.

(S.D.N.Y. May 16, 2023); *DDK Hotels, LLC v. Williams-Sonoma, Inc.*, 2022 WL 2702378, at *2 (E.D.N.Y. Feb. 11, 2022).

The Court has reviewed each of the disputed topics. As narrowed by JPMC, each of the topics individually and all of them collectively are proportional to the needs of the case and not unduly burdensome or duplicative. *See* Dkt. No. 132-2 at 5-8. The motion to quash is denied and EMTC is ordered to produce a 30(b)(6) witness prepared to testify on topics 1-7, 12-13, 21-25, 33, 35-37, 40-42, 45, 51, 53, 54, 56-57, 60, and 62, as narrowed, Dkt. No. 132 at 2 n.1; Dkt. No. 132-2 at 5-8, as well as on the topics previously agreed or as to which JPMC has accepted EMTC's proposed narrowing, *see* Dkt. No. 132-2 at 2-3.

SO ORDERED.

Dated: May 6, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', is written over a horizontal line.

LEWIS J. LIMAN
United States District Judge